

MONDAY, MARCH 5, 2012

FIFTY-EIGHTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Brady Cooper, New Vision Baptist Church, Murfreesboro, TN.

Representative Womick led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 94

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Evans; personal

Representative B. Cooper; personal

Representative Favors; personal

Representative Powers; personal

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 202 Rep(s). Hill as prime sponsor(s).

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

House Joint Resolution No. 662 Rep(s). B. Cooper as prime sponsor(s).

House Joint Resolution No. 720 Rep(s). Sanderson as prime sponsor(s).

House Bill No. 2295 Rep(s). Hardaway, Parkinson, Cobb, Moore, J. DeBerry, Faison and Windle as prime sponsor(s).

House Bill No. 2587 Rep(s). Hensley and Fitzhugh as prime sponsor(s).

House Bill No. 2616 Rep(s). Hensley as prime sponsor(s).

House Bill No. 2770 Rep(s). Haynes and Hensley as prime sponsor(s).

House Bill No. 2827 Rep(s). B. Cooper as prime sponsor(s).

House Bill No. 2860 Rep(s). Cobb as prime sponsor(s).

House Bill No. 3134 Rep(s). Gilmore as prime sponsor(s).

House Bill No. 3443 Rep(s). Moore, Eldridge, Fitzhugh, Weaver, Wirgau and Alexander as prime sponsor(s).

**MESSAGE FROM THE GOVERNOR
March 2, 2012**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2604 and 2638; also House Joint Resolution(s) No(s). 566; with his approval.

HERBERT H. SLATTERY, III, Counsel to the Governor

**MESSAGE FROM THE SENATE
March 5, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 499, 569, 572, 615, 616, 617, 618, 619, 620, 621, 622, 623 and 624; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 499** -- Naming and Designating - "Spinal Muscular Atrophy (SMA) Month," August 2012. by *Tracy, *Crowe, *Watson, *Roberts, *Ford, *Henry, *Herron, *Massey, *McNally, *Overbey.

***Senate Joint Resolution No. 569** -- Naming and Designating - "Dairy Month" in Tennessee, June 2012. by *Burks, *Barnes, *Beavers, *Bell, *Berke, *Campfield, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Henry, *Herron, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Southerland, *Stewart, *Summerville, *Tate, *Tracy, *Watson, *Yager, *Ramsey.

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***Senate Joint Resolution No. 572** -- Naming and Designating - "Landscape Architecture Month" in Tennessee, April 2012. by *Norris, *Ford, *Overbey.

Senate Joint Resolution No. 615 -- Memorials, Recognition - 290th Military Police Brigade. by *Johnson.

Senate Joint Resolution No. 616 -- Memorials, Recognition - 304th Military Police Battalion. by *Johnson.

Senate Joint Resolution No. 617 -- Memorials, Recognition - Callie Deanda, Prudential Spirit of Community Award. by *Overbey, *Southerland.

Senate Joint Resolution No. 618 -- Memorials, Professional Achievement - Debbie Shedden, 2011 C. Hal Henard Distinguished Service Award/School Board Member of the Year. by *Faulk.

Senate Joint Resolution No. 619 -- Memorials, Professional Achievement - Donna Carter, Teacher of the Year, Whitesburg Elementary School. by *Southerland.

Senate Joint Resolution No. 620 -- Memorials, Professional Achievement - Tiffany Fickle, Teacher of the Year, East Ridge Middle School. by *Southerland.

Senate Joint Resolution No. 621 -- Memorials, Professional Achievement - Jean Shadow, Teacher of the Year, Russellville Elementary. by *Southerland.

Senate Joint Resolution No. 622 -- Memorials, Professional Achievement - Sharon Yount, Teacher of the Year, John Hay Elementary School. by *Southerland.

Senate Joint Resolution No. 623 -- Memorials, Professional Achievement - Robin Roark, Teacher of the Year, Lincoln Elementary. by *Southerland.

Senate Joint Resolution No. 624 -- Memorials, Professional Achievement - Stephanie Dallmann, Teacher of the Year, Manley Elementary School. by *Stewart.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on **House Bill No. 2381**, previously adopted on March 1, 2012, and have this statement entered in the Journal: Rep(s). Pitts.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 208** -- General Assembly, Statement of Intent or Position - Expresses support for the US Dept of Interior's recommendation of a Manhattan Project National Historical Park in Oak Ridge, TN; Los Alamos, New Mexico; and Hanford, Washington. by *Ragan, *Hurley, *Keisling, *Hall, *Swann, *Brooks K, *Powers.

House Conservation and Environment Committee

***House Joint Resolution No. 734** -- General Assembly, Statement of Intent or Position - Urges Tennessee Commission on Aging and Disability to coordinate a state communication plan to inform the public about the Tennessee Aging and Disability Center's toll free number for information on resources and assistance. by *Shaw, *Camper, *Richardson, *Shepard, *Miller L, *DeBerry L, *Naifeh.

House Health and Human Resources Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 8, 2012:

House Resolution No. 211 -- Memorials, Sports - Forge Ridge School girls' basketball team, Claiborne County Middle School Champion. by *Roach.

House Joint Resolution No. 737 -- Memorials, Recognition - David "Davy" Crockett & the Crockett Family Reunion 2012. by *Johnson C.

House Joint Resolution No. 738 -- Memorials, Recognition - Johnny Lunday. by *Niceley.

House Joint Resolution No. 739 -- Memorials, Professional Achievement - Tom Hopkins, Belz-Lipman Holocaust Educator of the Year Award. by *Harrison.

House Joint Resolution No. 740 -- Memorials, Recognition - Jack Foddrill. by *Wirgau.

House Joint Resolution No. 741 -- Memorials, Retirement - Jerry P. Simmons. by *Holt.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 8, 2012:

Senate Joint Resolution No. 615 -- Memorials, Recognition - 290th Military Police Brigade. by *Johnson.

Senate Joint Resolution No. 616 -- Memorials, Recognition - 304th Military Police Battalion. by *Johnson.

Senate Joint Resolution No. 617 -- Memorials, Recognition - Callie Deanda, Prudential Spirit of Community Award. by *Overbey, *Southerland.

Senate Joint Resolution No. 618 -- Memorials, Professional Achievement - Debbie Shedden, 2011 C. Hal Henard Distinguished Service Award/School Board Member of the Year. by *Faulk.

Senate Joint Resolution No. 619 -- Memorials, Professional Achievement - Donna Carter, Teacher of the Year, Whitesburg Elementary School. by *Southerland.

Senate Joint Resolution No. 620 -- Memorials, Professional Achievement - Tiffany Fickle, Teacher of the Year, East Ridge Middle School. by *Southerland.

Senate Joint Resolution No. 621 -- Memorials, Professional Achievement - Jean Shadow, Teacher of the Year, Russellville Elementary. by *Southerland.

Senate Joint Resolution No. 622 -- Memorials, Professional Achievement - Sharon Yount, Teacher of the Year, John Hay Elementary School. by *Southerland.

Senate Joint Resolution No. 623 -- Memorials, Professional Achievement - Robin Roark, Teacher of the Year, Lincoln Elementary. by *Southerland.

Senate Joint Resolution No. 624 -- Memorials, Professional Achievement - Stephanie Dallmann, Teacher of the Year, Manley Elementary School. by *Southerland.

RESOLUTIONS LYING OVER

On motion, the resolution(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 222** -- Constitutional Amendments - Proposes an amendment to Article XI, Section 5 of the Constitution of the State of Tennessee concerning charitable lotteries to include certain veterans' organizations. by *Crowe, *Faulk, *Gresham, *Overbey, *Ford.

House State and Local Government Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3862 -- Williamson County - As introduced, subject to local approval, creates a special juvenile court in Williamson County pursuant to the Juvenile Court Restructure Act of 1982. - Amends Chapter. by *Sargent.

House Bill No. 3863 -- Jackson - As introduced, subject to local approval, amends charter relative to the seeking of multiple positions in a single municipal election, vacancy and removal of council members, adoption of a redistricting ordinance, city judge and city court clerk salaries, and other charter revisions. by *Eldridge, *Shaw.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 2169** -- Special License Plates - As introduced, expands authorization of new specialty earmarked license plates for Sons of Confederate Veterans to include issuance of such plates for motorcycles. - Amends TCA Title 55, Chapter 4. by *Tracy, *Beavers, *Henry. (HB2616 by *McDaniel, *Hensley)

***Senate Bill No. 2707** -- Special License Plates - As introduced, extends time period for meeting initial issuance requirements for "I Recycle" new specialty earmarked license plates until July 1, 2013. - Amends TCA Title 55, Chapter 4. by *Massey, *Herron, *Kyle, *Overbey. (HB3464 by *Armstrong, *Tindell, *Brooks H, *Dunn, *Hall, *Haynes)

***Senate Bill No. 2785** -- Special License Plates - As introduced, authorizes issuance of Dogwood Arts new specialty earmarked license plates. - Amends TCA Title 55, Chapter 4. by *Massey, *Faulk, *Kyle. (HB3465 by *Armstrong, *Tindell, *Brooks H, *Dunn, *Hall, *Haynes)

***Senate Bill No. 2813** -- Special License Plates - As introduced, extends the time to meet the minimum order requirements for the Labrador Retriever Foundation new specialty earmarked plate by an additional year. - Amends TCA Section 55-4-353. by *Tracy, *Henry, *Faulk, *Herron, *Kyle. (HB3131 by *Johnson P)

***Senate Bill No. 2814** -- Special License Plates - As introduced, authorizes Tennessee Breast Cancer Coalition new specialty earmarked license plate; allocates 50 percent of funds produced from sale thereof to the Tennessee Breast Cancer Coalition to support organization's mission. - Amends TCA Title 55, Chapter 4. by *Tracy, *Beavers, *Faulk, *Ford, *Kyle, *Roberts. (HB3134 by *Johnson P, *Gilmore)

Senate Bill No. 2838 -- Special License Plates - As introduced, authorizes issuance of Boy Scouts of America new specialty earmarked license plates; allocates 50 percent of funds derived from sale thereof to five Tennessee Councils of Boy Scouts to fund and support scouting programs and activities. - Amends TCA Title 55, Chapter 4. by *Tracy, *Ketron, *Faulk, *Ford, *Herron, *Kyle, *Overbey, *Roberts. (*HB3019 by *Lollar)

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***Senate Bill No. 3006** -- Special License Plates - As introduced, authorizes issuance of an American Lung Association new specialty earmarked license plate. - Amends TCA Title 55, Chapter 4. by *Watson, *Faulk, *Ford, *Kyle. (HB3305 by *Floyd)

Senate Bill No. 3116 -- Education - As introduced, requires local boards of education to adopt policies concerning a teacher's ability to relocate a student for the safety of the student and the safety of others. - Amends TCA Title 49. by *Gresham, *Summerville, *Burks, *Tracy, *Campfield, *Tate, *Crowe, *Bell, *Roberts, *Southerland, *Ramsey, *Watson, *Ketron, *Massey, *Beavers, *Faulk, *Norris, *Yager. (*HB3241 by *Brooks H, *Brooks K, *Powers, *Hensley, *Dunn, *Naifeh, *DeBerry L, *Lollar, *McDaniel, *Ford, *Forgety, *Montgomery, *Ragan, *DeBerry J, *Casada, *Sanderson, *Bass, *Holt, *Faison, *Williams R, *Maggart, *Weaver, *Dean, *Butt, *Johnson P, *Wirgau, *Hardaway)

***Senate Bill No. 3236** -- Safety - As introduced, expands the definition of ready-removable in the Tennessee modular building act to permit ready-removables to include electrical wiring, - Amends TCA Title 68, Chapter 126, Part 3. by *Yager. (HB3448 by *Windle)

Senate Bill No. 3240 -- Railroads - As introduced, requires motor vehicles to stop at a railroad grade crossing where a train or other on-track equipment is approaching. - Amends TCA Title 55, Chapter 50, Part 4; Title 55, Chapter 8, Part 1 and Title 65. by *Barnes. (*HB3057 by *Ford)

Senate Bill No. 3352 -- Insurance Companies, Agents, Brokers, Policies - As introduced, prohibits title insurance companies and title insurance rating organizations from filing as part of their schedule of rates for title insurance, that part of the charge for title insurance applicable to search and examination in connection with insurance of title to real property located in counties with a population of less than 175,000 instead of those with less than 275,000. - Amends TCA Section 56-35-129. by *Ketron, *Johnson, *Tracy. (*HB3278 by *Sargent, *Casada, *Marsh, *Carr)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3858 – Harriman – House State and Local Government Committee

House Bill No. 3859 – Morristown – House State and Local Government Committee

House Bill No. 3860 – Morristown – House State and Local Government Committee

House Bill No. 3861 -- Rutherford County – House State and Local Government Committee

CONSENT CALENDAR

House Bill No. 2465 -- Highway Signs - As introduced, names bridge on S.R. 11 in Marshall County in honor of late Matt Hayes. by *Bass.

On motion, House Bill No. 2465 was made to conform with **Senate Bill No. 2295**; the Senate Bill was substituted for the House Bill.

***House Bill No. 3050** -- Special License Plates - As introduced, authorizes issuance of Almost Home Animal Rescue new specialty earmarked license plates; allocates 50 percent of funds derived from sale thereof to such organization to rescue and relocate animals scheduled for euthanasia. - Amends TCA Title 55, Chapter 4. by *Womick.

On motion, House Bill No. 3050 was made to conform with **Senate Bill No. 3353**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 662** -- Naming and Designating - "Tennessee Campus Compact Day on the Hill," March 28, 2012. by *Pitts.

House Bill No. 3305 -- Special License Plates - As introduced, authorizes issuance of an American Lung Association new specialty earmarked license plate. - Amends TCA Title 55, Chapter 4. by *Floyd.

On motion, House Bill No. 3305 was made to conform with **Senate Bill No. 3006**; the Senate Bill was substituted for the House Bill.

House Bill No. 3834 -- Sequatchie County - As introduced, subject to local approval, divides Sequatchie County into nine school districts, which are identical to the county legislative body districts, rather than eight districts. - Amends Chapter 83 of the Private Acts of 2002. by *Harmon.

House Bill No. 2746 -- Senate - As introduced, changes T.C.A. to reflect renaming of the senate environment, conservation and tourism committee as the "senate energy and environment committee." - Amends TCA Title 4; Title 7; Title 8; Title 9; Title 11; Title 43; Title 67; Title 69 and Title 70. by *Hawk.

On motion, House Bill No. 2746 was made to conform with **Senate Bill No. 2192**; the Senate Bill was substituted for the House Bill.

House Bill No. 2427 -- Public Funds and Financing - As introduced, clarifies that provisions governing purchases by one local government under same terms as another local government's purchasing agreement apply to purchases of goods and equipment. - Amends TCA Section 12-3-1004. by *Alexander.

On motion, House Bill No. 2427 was made to conform with **Senate Bill No. 2291**; the Senate Bill was substituted for the House Bill.

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House Bill No. 3131 -- Special License Plates - As introduced, extends the time to meet the minimum order requirements for the Labrador Retriever Foundation new specialty earmarked plate by an additional year. - Amends TCA Section 55-4-353. by *Johnson P.

On motion, House Bill No. 3131 was made to conform with **Senate Bill No. 2813**; the Senate Bill was substituted for the House Bill.

House Bill No. 3026 -- Special License Plates - As introduced, authorizes issuance of a Tennessee Sheriffs' Association new specialty earmarked license plate. - Amends TCA Title 55, Chapter 4, Part 2. by *Johnson P.

House Bill No. 3134 -- Special License Plates - As introduced, authorizes Tennessee Breast Cancer Coalition new specialty earmarked license plate; allocates 50 percent of funds produced from sale thereof to the Tennessee Breast Cancer Coalition to support organization's mission. - Amends TCA Title 55, Chapter 4. by *Johnson P.

On motion, House Bill No. 3134 was made to conform with **Senate Bill No. 2814**; the Senate Bill was substituted for the House Bill.

House Bill No. 2576 -- Special License Plates - As introduced, authorizes issuance of Ronald McDonald House new specialty earmarked license plate; allocates 50 percent of sale proceeds to Ronald McDonald House, for distribution to Tennessee chapters to further the mission of improving health, education and well-being of children. - Amends TCA Title 55, Chapter 4. by *Montgomery.

On motion, House Bill No. 2576 was made to conform with **Senate Bill No. 2382**; the Senate Bill was substituted for the House Bill.

House Bill No. 2827 -- Education, Higher - As introduced, authorizes and encourages reverse articulation or reverse transfer agreements between the board of regents' community colleges and universities in the board of regents and UT systems and that are private SACS accredited institutions. - Amends TCA Title 49. by *Montgomery.

House Bill No. 2511 -- Sunset Laws - As introduced, extends the board for licensing health care facilities, June 30, 2016; requires comptroller to issue questions and answers to board regarding surveyors in response to CMS audit. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11, Part 2. by *Cobb, *Shipley, *Rich.

On motion, House Bill No. 2511 was made to conform with **Senate Bill No. 2314**; the Senate Bill was substituted for the House Bill.

***House Bill No. 3843** -- Franklin - As introduced, subject to local approval, clarifies charter provisions involving the office of Vice-Mayor in the City of Franklin. - Amends Chapter 79 of the Acts of 1903; as amended. by *Sargent.

***House Bill No. 3844** -- Franklin - As introduced, expands power of the City of Franklin regarding the construction, maintenance, and repair of public sidewalks. - Amends Chapter 79 of the Acts of 1903; as amended. by *Sargent.

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***House Bill No. 3845** -- Franklin - As introduced, subject to local approval, prohibits candidates from running for more than one elective office in City of Franklin elections. - Amends Chapter 79 of the Private Acts of 1903; as amended. by *Sargent.

***House Bill No. 3009** -- Naming and Designating - As introduced, designates the first week in March as "Rescue Squad Week." - Amends TCA Title 15, Chapter 2, Part 1. by *Cobb, *Evans.

***House Bill No. 3010** -- Highway Signs - As introduced, names segment of U.S. 27 in Rhea County in honor of the late Hiram Green. by *Cobb.

***House Bill No. 3008** -- Highway Signs - As introduced, designates U.S. 27 within City of Dayton as "Veterans Memorial Highway." by *Cobb.

House Resolution No. 200 -- Memorials, Academic Achievement - Ashley Warren, Salutatorian, Cornersville School. by *Bass.

House Resolution No. 201 -- Memorials, Academic Achievement - Laiken Spivey, Valedictorian, Cornersville School. by *Bass.

House Resolution No. 202 -- Memorials, Recognition - Mapes Piano String Company, 100th anniversary. by *Williams K.

House Resolution No. 203 -- Memorials, Sports - 2012 TSSAA Hall of Fame inductees. by *Harmon.

House Resolution No. 204 -- Memorials, Academic Achievement - Justin Killian, Salutatorian, Marshall County High School. by *Bass.

House Resolution No. 205 -- Memorials, Academic Achievement - Christa Brooke Morton, Valedictorian, Marshall County High School. by *Bass.

House Resolution No. 206 -- Memorials, Sports - Tennessee Technology University football team. by *Williams R, *Sexton, *Curtiss, *Windle, *Keisling, *Weaver.

House Resolution No. 209 -- Memorials, Personal Achievement - Caleb Massey, Eagle Scout. by *Elam.

House Joint Resolution No. 716 -- Memorials, Sports - Randy Lambert. by *Swann, *Ramsey.

House Joint Resolution No. 717 -- Memorials, Recognition - Amber Futrell. by *Holt.

House Joint Resolution No. 718 -- Memorials, Recognition - Chris Martin. by *Holt.

House Joint Resolution No. 719 -- Memorials, Recognition - Ben and Jennifer Moore, 2012 National Young Farmer Achievement Winners. by *Holt.

House Joint Resolution No. 720 -- Memorials, Retirement - Hugh Adams. by *Holt.

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House Joint Resolution No. 721 -- Memorials, Public Service - Jim Bruce, White House Chamber of Commerce Community Service Award. by *Evans, *McDonald, *Maggart.

House Joint Resolution No. 722 -- Memorials, Public Service - Robert Whitaker, White House Chamber of Commerce Citizen of the Year. by *Evans, *McDonald, *Maggart.

House Joint Resolution No. 723 -- Memorials, Recognition - The Martha M. Brown and Lois H. Daniel Memorial Library at Tennessee State University. by *Gilmore.

House Joint Resolution No. 725 -- Memorials, Congratulations - Upsilon Xi fraternity, 50th anniversary. by *Brooks K.

House Joint Resolution No. 726 -- Memorials, Recognition - Dr. Fannie D. Hewlett. by *Favors, *Brown, *DeBerry L, *McCormick, *Dean, *Floyd, *Cobb.

House Joint Resolution No. 727 -- Memorials, Recognition - 290th Military Police Brigade and 304th Military Police Battalion. by *Gotto.

House Joint Resolution No. 730 -- Memorials, Recognition - National Wild Turkey Federation's Plateau Longbeards chapter, National award winners. by *Sexton.

House Joint Resolution No. 731 -- Memorials, Professional Achievement - Edward and Nancy Polk, Tennessee's 2011 Outstanding Tree Farmer of the Year. by *Moore, *Shepard.

House Joint Resolution No. 732 -- Memorials, Recognition - Reverend Phil Martin. by *Evans.

House Joint Resolution No. 733 -- Memorials, Personal Achievement - Christian Andrew Ratliff, Eagle Scout. by *Cobb.

House Joint Resolution No. 735 -- Memorials, Public Service - Mayor Gary Norwood. by *Johnson P.

Rep. K. Williams moved that all members voting aye on House Resolution No. 202 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Cobb moved that all members voting aye on House Bill No. 3009 be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

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Ayes 91
Noes..... 0
Present and not voting..... 2

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives present and not voting were: Harmon, Sontany -- 2

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 2591** -- Motor Vehicles - As introduced, authorizes any law enforcement official, instead of only highway patrol officers, to stop and test vehicles for noncompliance with headlamp requirements. - Amends TCA Title 55, Chapter 9. by *McDonald. (SB2499 by *Finney L)

Rep. McDonald moved that House Bill No. 2591 be passed on third and final consideration.

Rep. Towns moved the previous question, which motion prevailed.

Rep. McDonald moved that **House Bill No. 2591** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

House Bill No. 2495 -- County Government - As introduced, prohibits conflicts of interest in contractual services in regard to county officers in same manner as interests in supplies, material or equipment are prohibited. - Amends TCA Section 5-21-121 and Section 54-7-203. by *Powers. (*SB2384 by *Faulk)

Rep. McCormick moved that House Bill No. 2495 be reset for the Regular Calendar on March 12, 2012, which motion prevailed.

***House Bill No. 2295** -- Military - As introduced, clarifies that when persons are engaged in national guard duties no private employment benefits may be curtailed or made ineligible due to such duties. - Amends TCA Title 8, Chapter 33, Part 1. by *Ragan, *Cooper B. (SB3282 by *Gresham, *Ketron)

Rep. Ragan moved that House Bill No. 2295 be passed on third and final consideration.

Rep. McManus moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2295 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-33-110, is amended by deleting such section in its entirety and by substituting instead the following:

8-33-110. In addition to the leave of absence provided in § 8-33-109, all officers and employees of this state, or any department or agency thereof, or of any county, municipality, school district, or other political subdivision, all other public employees of this state and all private sector employees who are members of the Tennessee army and air national guard on active state duty or the Tennessee state guard and civil air patrol shall be entitled to an unpaid leave of absence from their respective duties, without loss of time, pay not specifically related to leave of absence time, regular leave or vacation or impairment of efficiency rating for all periods of service during which under competent orders they are engaged in the performance of duty or training in the service of this state, including the performance of duties in an emergency.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Ragan moved that **House Bill No. 2295**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry
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L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 2403** -- County Officers - As introduced, allows Anderson County to provide cars for the use of salaried county officials. - Amends TCA Section 8-26-113. by *Ragan. (SB2421 by *McNally)

Rep. Ragan moved that **House Bill No. 2403** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 2406** -- Taxes, Franchise - As introduced, caps the amount of penalties to .5 percent for franchise, excise filing date extensions; requires certain taxpayers to make a 90 percent tax payment as a condition to receiving an extension. - Amends TCA Section 67-1-804 and Section 67-4-2015. by *Ragan. (SB2422 by *McNally)

Rep. Ragan moved that House Bill No. 2406 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2406 by deleting all language after the enacting clause and by substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Section 67-4-2015(g)(1), is amended by deleting the subdivision in its entirety and by substituting instead the following:

(g)

(1)

(A) An extension of time of six (6) months in which to file the franchise and excise tax return shall be granted if, on or before the original due date of the return, the extension request is made as required in subdivision (g)(2) and the taxpayer has paid franchise and excise taxes equal to at least the lesser of:

(i) Ninety percent (90%) of the liability for the tax year for which the extension is being requested; or

(ii) One hundred percent (100%) of the tax shown due on the tax return for the preceding tax year, annualized if the preceding tax year was for less than twelve (12) months; provided, however, if there was no liability for the preceding tax year, the amount paid shall equal the minimum tax amount provided in § 67-4-2119.

(B) A taxpayer electing to compute its net worth on a consolidated basis shall make its franchise, excise tax extension request and compute the payment thereon taking into consideration that its net worth will be computed on a consolidated basis.

(C) Where the taxes paid on or before the original due date of the return do not equal the amount provided in subdivision (g)(1)(A), or if the return is not filed by the extended due date, penalty as provided by § 67-1-804 and interest as provided by § 67-1-801(a) shall attach as though no extension had been granted.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it, and shall apply to tax periods ending on or after July 1, 2012.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Ragan moved that **House Bill No. 2406**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **House Bill No. 2406** and have this statement entered in the Journal: Rep(s). Stewart.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **House Bill No. 2403** and have this statement entered in the Journal: Rep(s). Weaver.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2728** -- Insurance, Health, Accident - As introduced, revises obsolete language related to independent practitioner of social work for purposes of reimbursement under medical, hospital and medical service plans and insurance by replacing it with current licensure terminology of a person duly licensed to engage in independent practice as a licensed clinical social worker. - Amends TCA Section 56-7-2401 and Section 56-7-2402. by *Pitts. (SB2674 by *Faulk, *Crowe, *Harper, *Henry)

On motion, House Bill No. 2728 was made to conform with **Senate Bill No. 2674**; the Senate Bill was substituted for the House Bill.

Rep. Pitts moved that **Senate Bill No. 2674** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell,

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Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 2764 -- Contractors - As introduced, revises certain requirements concerning retainage. - Amends TCA Title 66, Chapter 34, Part 1. by *Curtiss. (*SB2564 by *Ketrone)

Rep. Curtiss moved that **House Bill No. 2764** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 3448 -- Safety - As introduced, expands the definition of ready-removable in the Tennessee modular building act to permit ready-removables to include electrical wiring, - Amends TCA Title 68, Chapter 126, Part 3. by *Windle. (*SB3236 by *Yager)

On motion, House Bill No. 3448 was made to conform with **Senate Bill No. 3236**; the Senate Bill was substituted for the House Bill.

Rep. Windle moved that Senate Bill No. 3236 be passed on third and final consideration.

Rep. McManus moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Windle moved that **Senate Bill No. 3236** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto,

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Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

House Bill No. 3443 -- Firearms and Ammunition - As introduced, permits retired correctional officers and inmate relations coordinators previously employed by the department of corrections to apply to obtain certification to carry a weapon in this state in the same manner as a retired law enforcement officer obtains certification to carry in this state. - Amends TCA Title 38, Chapter 8 and Title 39, Chapter 17. by *Windle. (*SB3202 by *Yager, *Ketrone)

Rep. Windle moved that **House Bill No. 3443** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgy, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 3011** -- Alcoholic Beverage Commission - As introduced, allows commission to issue wholesale license to corporation that has acquired assets of a partnership or limited liability company operating in this state for 10 years if corporation has majority of its assets in Tennessee and officers actively present at licensed premises. - Amends TCA Section 57-3-203(g). by *Todd. (SB2843 by *Yager)

On motion, House Bill No. 3011 was made to conform with **Senate Bill No. 2843**; the Senate Bill was substituted for the House Bill.

Rep. Todd moved that **Senate Bill No. 2843** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes 73
Noes..... 11
Present and not voting..... 10

Representatives voting aye were: Bass, Brown, Camper, Carr, Casada, Coley, DeBerry L, Dennis, Elam, Eldridge, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hurley, Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Weaver, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 73

Representatives voting no were: Armstrong, Brooks H, Brooks K, Campbell, Curtiss, DeBerry J, Hensley, Hill, Holt, Watson, White -- 11

Representatives present and not voting were: Alexander, Butt, Cobb, Dean, Dunn, Faison, Kernell, Miller D, Pody, Windle -- 10

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “present and not voting” to “aye” on the **Senate Bill No. 2843** and have this statement entered in the Journal: Rep(s). Kernell.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on the **Senate Bill No. 2843** and have this statement entered in the Journal: Rep(s). Floyd.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2380** -- Highways, Roads and Bridges - As introduced, revises provisions governing the distribution of utility relocation plans to utility owners. - Amends TCA Section 54-5-854. by *McCormick, *Weaver. (SB2242 by *Norris, *Bell)

On motion, House Bill No. 2380 was made to conform with **Senate Bill No. 2242**; the Senate Bill was substituted for the House Bill.

Rep. Weaver moved that **Senate Bill No. 2242** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Ford, Forgety, Gilmore, Gotto, Halford, Hall,

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Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

***House Joint Resolution No. 614** -- Memorials, Congress - Urges Congress to return to more original understanding of the Commerce Clause of the federal Constitution. by *Elam, *Eldridge, *Butt, *Weaver, *Halford, *Casada, *Holt, *Sparks, *Hensley, *Floyd.

Rep. Elam moved that House Joint Resolution No. 614 be reset for the Regular Calendar on March 12, 2012, which motion prevailed.

House Bill No. 2587 -- Highway Signs - As introduced, names bridge on S.R. 166 in Maury County in honor of Dr. L. Paul Sands. by *Butt. (*SB2297 by *Ketron, *Henry, *Stewart)

On motion, House Bill No. 2587 was made to conform with **Senate Bill No. 2297**; the Senate Bill was substituted for the House Bill.

Rep. Butt moved that Senate Bill No. 2297 be passed on third and final consideration.

Rep. P. Johnson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2587 by deleting the language "Dr. Paul D. Sands" and substituting instead the language "Dr. L. Paul Sands" in the second clause of the preamble.

AND FURTHER AMEND by adding the language "on" between the language "bridge" and "State Route 166" in the final clause of the preamble.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Butt moved that **Senate Bill No. 2297**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson

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C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

***House Bill No. 1442** -- Insurance Companies, Agents, Brokers, Policies - As introduced, clarifies that utilization review may include review of admissions and procedures as the types of resources or services subject to review. - Amends TCA Title 56. by *McCormick, *Pody. (SB1818 by *Norris, *Tracy)

On motion, House Bill No. 1442 was made to conform with **Senate Bill No. 1818**; the Senate Bill was substituted for the House Bill.

Rep. Pody moved that Senate Bill No. 1818 be passed on third and final consideration.

Rep. McManus moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Pody moved that **Senate Bill No. 1818** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

A motion to reconsider was tabled.

House Bill No. 3156 -- Environmental Preservation - As introduced, changes dates of harvest season for wild ginseng from August 15 through December 31 to September 1 through December 31 of each year; adjusts reporting requirement for ginseng dealers to reflect new start date of harvest season. - Amends TCA Title 62, Chapter 28, Part 1 and Title 70, Chapter 8, Part 2. by *Keisling. (*SB2854 by *Yager)

On motion, House Bill No. 3156 was made to conform with **Senate Bill No. 2854**; the Senate Bill was substituted for the House Bill.

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Rep. Keisling moved that Senate Bill No. 2854 be passed on third and final consideration.

Rep. Pitts moved the previous question, which motion failed.

After further discussion, Rep. McCormick moved the previous question, which motion prevailed.

Rep. Keisling moved that **Senate Bill No. 2854** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hill, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 89

Representatives present and not voting were: Holt -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Senate Bill No. 2854** and have this statement entered in the Journal: Rep(s). Brown.

REGULAR CALENDAR, CONTINUED

***House Bill No. 3057** -- Railroads - As introduced, requires motor vehicles to stop at a railroad grade crossing where a train or other on-track equipment is approaching. - Amends TCA Title 55, Chapter 50, Part 4; Title 55, Chapter 8, Part 1 and Title 65. by *Ford. (SB3240 by *Barnes)

On motion, House Bill No. 3057 was made to conform with **Senate Bill No. 3240**; the Senate Bill was substituted for the House Bill.

Rep. Ford moved that Senate Bill No. 3240 be passed on third and final consideration.

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Rep. P. Johnson moved that Transportation Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ford moved that **Senate Bill No. 3240** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 3053 -- Radio and Television - As introduced, designates as confidential and not subject to open records laws any records obtained by or disclosed to a municipality or county by a cable or video service provider for the purpose of an audit or review. - Amends TCA Title 7, Chapter 59, Part 3 and Section 10-7-504. by *McDaniel. (*SB2598 by *Ketron)

Rep. McDaniel moved that House Bill No. 3053 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3053 by deleting the language of SECTION 1 in its entirety and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 7-59-306(d)(1), is amended by adding the language “ or any other cable or video service provider” after the language “holder of a state-issued certificate of franchise authority” in the last sentence of the subdivision.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. McDaniel moved that **House Bill No. 3053**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

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MONDAY, MARCH 5, 2012 – FIFTY-EIGHTH LEGISLATIVE DAY UNOFFICIAL VERSION

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

A motion to reconsider was tabled.

House Bill No. 2616 -- Special License Plates - As introduced, expands authorization of new specialty earmarked license plates for Sons of Confederate Veterans to include issuance of such plates for motorcycles. - Amends TCA Title 55, Chapter 4. by *McDaniel. (*SB2169 by *Tracy, *Beavers, *Henry)

On motion, House Bill No. 2616 was made to conform with **Senate Bill No. 2169**; the Senate Bill was substituted for the House Bill.

Rep. McDaniel moved that **Senate Bill No. 2169** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	82
Noes.....	6
Present and not voting.....	1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Montgomery, Moore, Naifeh, Niceley, Odom, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sparks, Swann, Tidwell, Tindell, Todd, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 82

Representatives voting no were: Hardaway, Kernell, Parkinson, Richardson, Towns, Turner J -- 6

Representatives present and not voting were: Armstrong -- 1

A motion to reconsider was tabled.

***House Bill No. 2650** -- Lottery, Corporation - As introduced, requires the general shortfall lottery subaccount to be maintained at \$100 million instead of at \$50 million; requires comptroller to make an annual report on the adequacy of reserves. - Amends TCA Section 4-51-111. by *Brooks H. (SB2515 by *Gresham, *Tate, *McNally, *Henry, *Watson)

Rep. H. Brooks moved that House Bill No. 2650 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2650 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 4-51-111(b)(3), is amended by deleting in subdivisions (C) and (D) the language "fifty million dollars (\$50,000,000)" wherever it appears and by substituting instead the language "one hundred million dollars (\$100,000,000)".

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Roach moved the previous question, which motion prevailed.

Rep. H. Brooks moved that **House Bill No. 2650**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	73
Noes.....	18
Present and not voting.....	2

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Niceley, Pitts, Pody, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sparks, Swann, Tidwell, Tindell, Todd, Turner J, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 73

Representatives voting no were: Armstrong, Brown, DeBerry L, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, Moore, Naifeh, Odom, Parkinson, Richardson, Sontany, Stewart, Towns, Turner M -- 18

Representatives present and not voting were: Camper, Holt -- 2

A motion to reconsider was tabled.

***House Bill No. 2770** -- Utilities, Utility Districts - As introduced, requires the utility management review board to develop a process to permit subscribers of a district to submit names for vacancies on the board of commissioners. - Amends TCA Section 7-82-307. by *Brooks H. (SB2652 by *Massey)

On motion, House Bill No. 2770 was made to conform with **Senate Bill No. 2652**; the Senate Bill was substituted for the House Bill.

Rep. H. Brooks moved that Senate Bill No. 2652 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. H. Brooks moved that **Senate Bill No. 2652** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on the **House Bill No. 2650** and have this statement entered in the Journal: Rep(s). J. Turner.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2860** -- Law Enforcement - As introduced, requires that officers who knowingly provide POST with false or misleading information concerning histories be decertified, removed from office, and be deemed ineligible to apply for a new law enforcement position in Tennessee; requires denial of application for POST certification of an applicant who knowingly provides POST with false or misleading information. - Amends TCA Title 4; Title 8; Title 38; Title 39 and Title 40. by *Brooks H. (SB2856 by *Yager)

Rep. H. Brooks moved that House Bill No. 2860 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2860 By deleting the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 8, Part 1, is amended by adding the following as a new section thereto:

38-8-124.

(a) In addition to any other penalty proscribed by law, where an applicant for POST certification knowingly includes false or misleading information on an application concerning the applicant's qualifications, experience, training or criminal history, the applicant shall be denied POST certification in this state and shall not be eligible to reapply.

(b)

(1) Where a POST certified officer obtains POST certification by knowingly providing false or misleading information concerning the officer's qualifications, experience, training or criminal history, POST shall decertify the officer.

(2) Any officer decertified by POST under subdivision (b)(1) shall be removed from office and shall not be eligible to apply for a law enforcement position.

(c) For purposes of this section, "law enforcement position" means:

(1) A state or local employee who exercises law enforcement authority, including but not limited to a position with the:

(A) Tennessee wildlife resources authority;

(B) Tennessee regulatory authority;

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(C) department of forestry or;

(D) alcoholic beverage commission; or

(2) A state or local employee exercising quasi-law enforcement authority, including but not limited to correctional employees and jailers; or

(3) Any support position to an entity or employee under subdivision (1) or (2).

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. H. Brooks moved that **House Bill No. 2860**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 54

A motion to reconsider was tabled.

House Bill No. 2422 -- Local Government, General - As introduced, extends from June 30, 2012, to June 30, 2014, the expiration date for the authority of Hamilton, Knox and Shelby counties, Chattanooga, Knoxville, Memphis and Metropolitan Nashville to sell bonds at private sale upon terms and conditions that it determines and upon approval by the governing body of the local government. - Amends TCA Section 9-21-132. by *Harrison. (*SB2265 by *Watson)

On motion, House Bill No. 2422 was made to conform with **Senate Bill No. 2265**; the Senate Bill was substituted for the House Bill.

Rep. Harrison moved that Senate Bill No. 2265 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

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Rep. Harrison moved that **Senate Bill No. 2265** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

UNFINISHED BUSINESS

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on March 8, 2012:

House Bill No. 2326 – by Rep. Hawk

House Bill No. 2527 – by Rep. Cobb

House Bill No. 2540 – by Rep. Cobb

House Bill No. 2534 – by Rep. Cobb

House Bill No. 3080 – by Rep. Cobb

RULES SUSPENDED

Rep. Sargent moved that the rules be suspended for the purpose of introducing House Resolution No. 210 out of order, which motion prevailed.

House Resolution No. 210 -- Lottery, Charitable - Approves 2011-2012 501(c)(3) annual events by the house of representatives. by *Sargent.

On motion, the rules were suspended for the immediate consideration of the resolution.

Rep. Sargent moved adoption of House Resolution No. 210, which motion prevailed by the following vote:

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Ayes 93
Noes..... 0
Present and not voting..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives present and not voting were: Butt – 1

House Resolution No. 210, having received a vote in the affirmative by two thirds of the members elected to the Tennessee House of Representatives of the One Hundred Seventh General Assembly, was declared adopted.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “present and not voting” to “aye” on the **House Resolution No. 210** and have this statement entered in the Journal: Rep(s). Butt.

RULES SUSPENDED

Rep. McDonald moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 736 out of order, which motion prevailed.

House Joint Resolution No. 736 -- Memorials, Recognition - Tony and Carol Bentle, Westmoreland Citizens of the Year. by *McDonald.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McDonald, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Gotto moved that the rules be suspended so that the Davidson County delegation be added as co-prime sponsors on House Joint Resolution No. 727, which motion prevailed.

BILLS WITHDRAWN

On motion of Rep. Hardaway, **House Bill No. 102** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 104** was recalled from the Finance, Ways and Means Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 105** was recalled from the Education Committee and withdrawn from the House.

On motion of Rep. Hardaway, **House Bill No. 109** was recalled from the Education Committee and withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 984 Rep(s). B. Cooper as prime sponsor(s).

House Bill No. 2774 Rep(s). K. Brooks as prime sponsor(s).

House Bill No. 2909 Rep(s). Casada and Gotto as prime sponsor(s).

House Bill No. 3241 Rep(s). Hardaway as prime sponsor(s).

House Bill No. 3446 Rep(s). Shepard, McDaniel and Tidwell as prime sponsor(s).

House Bill No. 3567 Rep(s). P. Johnson as prime sponsor(s).

House Bill No. 3736 Rep(s). Moore as prime sponsor(s).

House Bill No. 3760 Rep(s). Sargent and Harwell as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). S. Jones was/were removed as sponsor(s) of **House Bill No. 2338**.

MESSAGE FROM THE SENATE
March 5, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613 and 614; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 5, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613 and 614.

**SIGNED
March 5, 2012**

The Speaker announced that she had signed the following: House Bill(s) No(s). 629, 2414, 2542 and 2833.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
March 5, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 726;

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
March 5, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 65, 882, 2220 and 2385; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 5, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 565, 660, 684, 685, 687, 688, 689, 691, 692, 693, 694, 696, 697, 699, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710 and 726; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
March 5, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2480; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 5, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2500; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 5, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3135; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 5, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2547; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

March 5, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2729; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ENGROSSED BILLS

March 5, 2012

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2295, 2403, 2406, 2591, 2650, 2764, 2827, 2860, 3008, 3009, 3010, 3026, 3053, 3443, 3834, 3843, 3844 and 3845.

BETTY KAY FRANCIS, Chief Engrossing Clerk

ENGROSSED BILLS

March 5, 2012

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 662, 716, 717, 718, 719, 720, 721, 722, 723, 725, 727, 730, 731, 732, 733, 735 and 736.

BETTY KAY FRANCIS, Chief Engrossing Clerk

MESSAGE FROM THE SENATE
March 5, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2226, 2607, 3123, 3389 and 3394; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

Senate Bill No. 2226 -- Intellectual & Developmental Disabilities - As introduced, provides for a statewide admissions review committee in regard to developmental centers for persons with intellectual or development disabilities, instead of having a review board for each center; makes other various changes in regard to such center. - Amends TCA Title 33. by *Norris, *Yager, *Ketron. (*HB2364 by *McCormick, *Hill)

Senate Bill No. 2607 -- DUI Offenses - As introduced, increases penalty for violation of DUI statute when child under 18 is in the vehicle to require that the mandatory minimum 30-day sentence for this offense be served consecutive to any sentence received for a violation of specified other alcohol-related offenses. - Amends TCA Title 55, Chapter 10, Part 4. by *Beavers, *Overbey, *Berke, *Faulk, *Norris, *Stewart. (*HB2751 by *Shipley, *Hurley, *Maggart, *Gotto, *Faison)

Senate Bill No. 3123 -- Naming and Designating - As introduced, designates May 2012 as "Motorcycle Safety and Awareness Month.". by *Stewart, *Ketron, *Tracy, *Norris. (*HB2429 by *Matheny)

Senate Bill No. 3389 -- Veterinarians - As introduced, requires governor to consult with interested veterinary groups including the Tennessee Veterinary Medical Association, which under current law may recommend licensed doctors of veterinary medicine and licensed veterinary technicians for appointment to the board, prior to making appointments to board of veterinary medical examiners. - Amends TCA Title 4, Chapter 29 and Section 63-12-104. by *Bell. (*HB3551 by *Cobb)

Senate Bill No. 3394 -- Water - As introduced, requires that any public water or waterworks system, which determines to initiate or permanently cease fluoridation of its water supply, shall notify the departments of health and environment and conservation and its customers 30 days prior to any vote. - Amends TCA Title 68, Chapter 221. by *Barnes. (*HB3558 by *Ramsey)

ENROLLED BILLS
March 5, 2012

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 200, 201, 202, 203, 204, 205, 206 and 209; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED
March 5, 2012**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 200, 201, 202, 203, 204, 205, 206 and 209.

BETTY KAY FRANCIS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results

Present..... 93

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

RECESS MOTION

On motion of Rep. K. Brooks, the House stood in recess until 9:00 a.m., Thursday, March 8, 2012.